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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 JOSE L. VALLE and ELIZABETH
12 VALLE,

13 Plaintiffs,

14 vs.

15 COUNTRYWIDE MORTGAGE
16 VENTURES, LLC; AURORA LOAN
17 SERVICES, LLC; and QUALITY LOAN
18 SERVICE CORP.,

19 Defendants.

CASE NO. 14-CV-19-LAB-DHB

**ORDER GRANTING
DEFENDANTS' MOTIONS TO
DISMISS**

20 Plaintiffs filed this case on January 3, 2014, and Defendants promptly filed motions
21 to dismiss. (Doc. Nos. 6, 9, 11.) Plaintiffs have subsequently failed to file a single opposition
22 brief, which is of substantial consequence. Under Standing Order 4(b) of the undersigned
23 judge, "[a]n opposing party's failure to file a memorandum of points and authorities in
24 opposition to any motion will be construed as consent to granting the motion." The same is
25 true under the Court's Civil Local Rule 7.1(f)(3)(c).

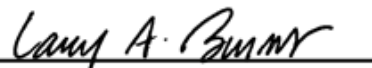
26 The Court has reviewed the motions to dismiss and finds them to be meritorious. This
27 is a standard case in which Plaintiffs seek to contest a home foreclosure, and Defendants
28 make all the right arguments as to why Plaintiffs have no claims. And while there is also a
venue problem here—the home at issue is in Riverside County, in the Central District of

1 California—"[d]ismissal, rather than transfer, may be appropriate where the transfer would
2 be futile because the case would be dismissed even after transfer." *Fowler v. Wells Fargo*
3 *Bank, N.A.*, 2011 WL 175506 at *2 (N.D. Cal. Jan. 18, 2011).

4 Defendants' motions to dismiss are **GRANTED**, and this case is **DISMISSED WITH**
5 **PREJUDICE**.

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7 **IT IS SO ORDERED.**

8 DATED: March 18, 2014

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10 **HONORABLE LARRY ALAN BURNS**
11 United States District Judge
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